

August 23, 2016

The regular meeting of the City Council of the City of Fairmont was held at 7:00 p.m. on the 23rd day of August, 2016, at the Public Safety Building located at 500 Quincy Street in Fairmont, West Virginia.

Mayor Straight called the meeting to order.

Councilmembers present were:

First District	Marianne Moran
Second District	Frank G. Yann
Third District	Robert (Rob) Linger
Fourth District	William H. (Bill) Burdick
Fifth District	Fran Warner
Sixth District	Daniel K. (Dan) Weber
Seventh District	Philip R. (Phil) Mason
Eighth District	Thomas (Tom) Mainella
Ninth District	Ronald J. (Ron) Straight, Sr.

Also present were:

City Manager	Robin I. Gomez
City Clerk	Janet L. Keller
City Attorney	Kevin Sansalone
City Planner	Sandra Scaffidi
Fire Chief	Ed Simmons

IN RE: OPENING CEREMONIES

Rev. D. D. Meighen gave the invocation followed by the Pledge of Allegiance to the Flag led by Councilmember Warner.

APPROVAL OF MINUTES

Mayor Straight noted that each member of Council had received a copy of the minutes from the Regular Meeting held on August 9, 2016.

Councilmember Linger moved to approve the minutes as submitted. The motion was seconded by Councilmember Moran.

The Mayor declared the minutes approved as submitted by voice vote of Council.

PUBLIC HEARINGS

There were no public hearings scheduled for this meeting.

IN RE: VIDEO PRESENTED

Mr. Gomez asked Marketing/Communications Director Hanna Weaver to show a 2-minute video to Council of the Police/Fire charity basketball game that was played several months ago. The game was called the "Battle of the Badges" with the Police Department winning.

ANNOUNCEMENTS

IN RE: PUBLIC WORKS COMMENDED

Councilmember Yann commended Public Works for cleaning the grass going up East Park Avenue.

IN RE: VACANT BUILDINGS BEING RECONDITIONED

Councilmember Yann reported a couple buildings were vacant in his district but now the owners are starting to recondition the buildings.

IN RE: CLASSES IN SESSION

Councilmember Linger announced that classes are in full swing at Pierpont and Fairmont State University. He welcomed back all students. He noted that a grand opening will be held in October at Pierpont and he will announce more about that at a later date.

IN RE: REPUBLIC SERVICES

Councilmember Burdick reported that he received a letter from Republic stating that recycling will start that week, however, they did not make the pickups. He said that it seems like they messed up somewhere.

IN RE: MARION COUNTY COMMISSION COMMENDED

Councilmember Mainella stated that he would like to compliment the Marion County Commission for what they have done at Palatine Park this summer with the performances and programs that they have had. He noted that he attended several of the events and it is great what they have done.

IN RE: PUBLISH AGENDA IN NEWSPAPER

Councilmember Weber mentioned that he has tried multiple times to get the Fairmont Times to put Council's agenda in the newspaper and for some reason they refuse to do it. He noted that Council had an extremely fine, important, well attended work session at 5:00 this evening regarding our Comprehensive Plan for the City of Fairmont and the Fairmont Times was not there. He said that he would hope that the Fairmont Times recognizes that one of their jobs is to report what is happening in the City of Fairmont rather than what is happening in Denver or San Francisco or wherever.

IN RE: CITY ATTORNEY KEVIN SANSALONE COMMENDED

The Mayor commended City Attorney Kevin Sansalone regarding his work in the Comvest lawsuit and for everything that he has done for the City of Fairmont.

CITIZENS PETITIONS

IN RE: CODE ENFORCEMENT ISSUES

CAROLYN BAGWELL, a resident of Field Street, addressed Council regarding garbage issues in that area. She said there is a lot of rental units in that area and garbage has become an issue. She asked if there was something different to do in getting residents to clean up their property.

Mr. Gomez replied that it is a property maintenance issues with people not properly maintaining their properties, some dilapidated structures, some abandoned structures, and overgrown high grass areas. He said that the last time the Code Officer went there, he wrote 10 to 12 letters to the property owners between trash and high grass. He went on to say that it is a challenge to figure out a different approach whether posting notices on every single property, sending mailings to advise the property owners and tenants as to our expected behavior. He said the City will continue to stay on top of the matter and hopefully to continue to improve that area and do more than what we have been doing.

IN RE: FUNDING REQUESTED FOR FAIRMONT CHAMBER MUSIC SOCIETY

DR. MICHAEL SCHROERING, with the Fairmont Chamber Music Society, stated that the Music Society has always applied for grant funding which makes up 45% of their total budget, however, they have been told that no

grant monies available for next year. He said that the Society will have to raise \$5,000 by December 31, 2016 in order to have concerts in 2017. He then asked City Council to donate to the Society so the concerts can continue.

CITY MANAGER'S REPORT

IN RE: MEETING SCHEDULED WITH TMES-WEST VIRGINIAN

Mr. Gomez stated that he will be meeting with the Editor of the Times-West Virginian on Friday to go over a few areas within the City and the comments about placing the agenda in the newspaper will certainly be addressed.

IN RE: KEN FLETCHER, BUILDING INSPECTOR, RESIGNED

The City Manager mentioned that he wanted to thank Ken Fletcher for his years of service to the City of Fairmont. He noted that he will be leaving on Wednesday, August 24, to take another position with another City, however, John Miller has been named the Acting Building Inspector in the interim and we hope to have the position filled over the next two months.

CONSIDERATION OF COUNCIL BUSINESS

IN RE: INTRODUCTION, FIRST READING, SET PUBLIC HEARING, AN ORDINANCE OF THE COUNCIL OF THE CITY OF FAIRMONT AMENDING AND SUPPLEMENTING PART FIVE - GENERAL OFFENSES CODE, ARTICLE 545 WEAPONS, SECTION 454.03 FIREWORKS SALE AND DISCHARGE, TO PROVIDE FOR AND ACCOMMODATE CHANGES NECESSITATED BY THE ADOPTION OF WEST VIRGINIA CODE 29-3E-1 ET SEQ., FIREWORKS SAFETY, BY THE WEST VIRGINIA LEGISLATURE

Mayor Straight entertained a motion and a second for the introduction of an ordinance amending the General Offenses Code to provide for and accommodate changes necessitated by WV Code regarding Fireworks Safety.

Motion:

Councilmember Linger moved for the introduction of the proposed ordinance and the reading of a synopsis in lieu of the entire ordinance. Councilmember Yann seconded the motion.

The Clerk read the proposed ordinance by synopsis for the first time.

The Mayor declared the public hearing set for September 13, 2016 by voice vote of Council.

IN RE: ADOPTION, A RESOLUTION OF THE COUNCIL FOR THE CITY OF FAIRMONT APPROVING THE FORM OF THAT CERTAIN PROFESSIONAL SERVICES AGREEMENT DATED AUGUST 10, 2016, BY AND BETWEEN THE CITY OF FAIRMONT AND MACKIN ENGINEERING COMPANY REGARDING THE DECENNIAL UPDATE OF THE CITY'S COMPREHENSIVE PLAN, AND AUTHORIZING AND EMPOWERING THE CITY MANAGER TO EXECUTE AND DELIVER THE AGREEMENT ON BEHALF OF THE CITY OF FAIRMONT

Mayor Straight entertained a motion for the adoption of a resolution approving the agreement by and between the City of Fairmont and Mackin Engineering Company regarding the update of the City's Comprehensive Plan.

Motion:

Councilmember Warner moved for the adoption of the resolution. The motion was seconded by Councilmember Moran.

The Clerk read the proposed resolution by synopsis for the first time.

Roll call was taken by the Clerk.

The Mayor declared the resolution adopted by unanimous vote of Council.

IN RE: ADOPTION, A RESOLUTION OF THE COUNCIL FOR THE CITY OF FAIRMONT ENDORSING THE ELEVENTH ANNUAL FEAST OF THE SEVEN FISHES FESTIVAL SPONSORED BY MAIN STREET FAIRMONT, INC., TO BE HELD IN THE CITY OF FAIRMONT'S DOWNTOWN HISTORIC DISTRICT ON SATURDAY, DECEMBER 10, 2016

Mayor Straight entertained a motion for the adoption of a resolution endorsing the 11th Annual Feast of the Seven Fishes Festival to be held on Saturday, December 20, 2016 in downtown Fairmont.

Motion:

Councilmember Mason moved for the adoption of the resolution. The motion was seconded by Councilmember Yann.

The Clerk read the proposed resolution by synopsis for the first time.

Roll call was taken by the Clerk.

The Mayor declared the resolution adopted by unanimous vote of Council.

ADJOURNMENT

The Mayor entertained a motion for adjournment.

Motion:

Councilmember Mason moved to adjourn the meeting. The motion was seconded by Councilmember Moran.

The Mayor declared the meeting adjourned by voice vote of Council at 7:45 p.m.